

PTO/SB/31 (12-87)

Approved for use through: 9/30/00 OMB 0651-0031

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NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCESDocket Number (Optional)
H 3190 PCT/USIn re Application of
Bernd FabryApplication Number
09/554,386Filed
07/19/00For
**HYPOCHOLESTEREMIC PREPARATIONS CONTAINING
PHYTOSTENOLESTERS OF CONJUGATED FATTY ACIDS, AND
METHODS OF REDUCING SERUM CHOLESTEROL LEVELS
USING THE SAME**Group Art Unit
1616Examiner
S. QaziApplicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the examiner dated, June 5, 2001, rejecting the following claims: 11-30.

The fee for this Notice of Appeal is (37 CFR 1.17(b))

\$ 320.

- ☐
- Applicant is a small entity under 37 CFR 1.9 and 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is: \$_____.

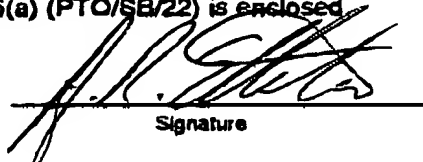
A statement of small entity status under 37 CFR 1.27:

- ☐ is enclosed.
- ☐ has already been filed in this application.
- ☐ A check in the amount of the fee is enclosed.
- ☐ The Commissioner has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a duplicate copy of this sheet.
- ☒ The Commissioner is hereby authorized to charge any fees which may be required, credit any overpayment to Deposit Account No. 50-1177. Order No. 01-0768
- ☒ A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.

I am the

- ☐ applicant.
- ☐ assignee of record of the entire interest.
- ☒ attorney or agent of record.
- ☐ attorney or agent acting under 37 CFR 1.34(a).

Registration Number if acting under 37 CFR 1.34(a), _____.


 Signature

Aaron R. Ettelman (Reg. No. 42,516)
 Typed or printed name

 Cognis Corporation
 Patent Department
 2500 Renaissance Blvd., Suite 200
 Gulph Mills, PA 19406

December 5, 2001
 Date

I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office on the date shown below.

December 5, 2001
 Date


 Signature of Certifier

Rose A. Stowe
 Typed or Printed Name of Certifier

00000002 501177 09554386

 320 **Read Your Statement:** This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. **DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO:** Assistant Commissioner for Patents, Washington, DC 20231.